

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas


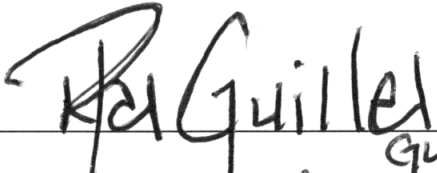

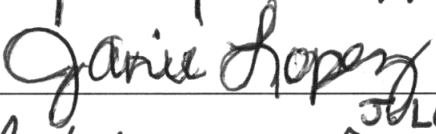
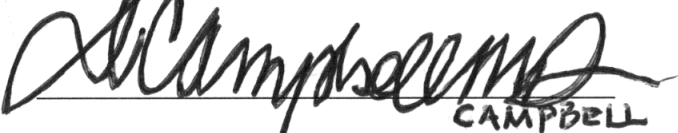
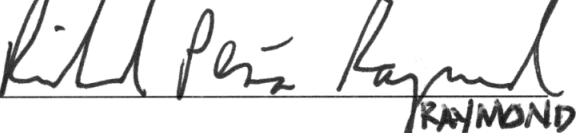
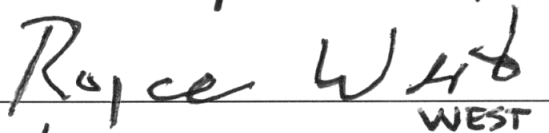

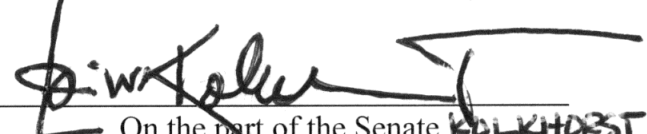
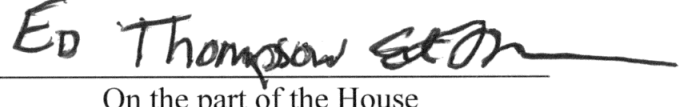
5/22/23
Date

Honorable Dan Patrick
President of the Senate

Honorable Dade Phelan
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 2484 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

 LAMANTIA	 GUILLEN
 PARKER	 LOPEZ
 CAMPBELL	 RAYMOND
 WEST	 GERDES
 On the part of the Senate Lois W. Kolkhorst	 On the part of the House E. THOMPSON

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 2484

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the safety of a referee, judge, or other official at
3 certain public school extracurricular activities and competitions
4 and prohibiting certain conduct by a spectator related to those
5 officials' safety.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Section 33.081, Education Code, is amended by
8 adding Subsections (f-1), (f-2), and (f-3) and amending Subsection
9 (g) to read as follows:

10 (f-1) A school district shall prohibit a spectator of an
11 extracurricular athletic activity or competition, including a
12 parent or guardian of a student participant, from attending any
13 future extracurricular athletic activity or competition sponsored
14 or sanctioned by the school district or the University
15 Interscholastic League if the spectator engages in conduct that
16 intentionally, knowingly, or recklessly causes bodily injury to a
17 person serving as referee, judge, or other official of an
18 extracurricular athletic activity or competition in retaliation
19 for or as a result of the person's actions taken in performing the
20 duties of a referee, judge, or other official of the
21 extracurricular athletic activity or competition.

22 (f-2) A school district may establish an appeals process by
23 which:

24 (1) a person may appeal to the district a prohibition

1 imposed under Subsection (f-1); and

2 (2) the district may determine the facts associated
3 with the conduct for which the school district imposed a
4 prohibition under Subsection (f-1).

5 (f-3) A prohibition imposed under Subsection (f-1) must be
6 for not less than one year after the date on which the prohibition
7 is imposed but may not exceed five years from the date on which the
8 prohibition is imposed.

9 (g) An appeal to the commissioner is not a contested case
10 under Chapter 2001, Government Code, if the issues presented relate
11 to a person's [~~student's~~] eligibility to participate in or attend an
12 extracurricular activity [~~activities~~], including issues related to
13 a [~~the~~] student's grades, the school district's grading policy as
14 applied to a [~~the~~] student's eligibility, a [~~or the~~] student's
15 eligibility based on conduct described by Subsection (e-1), or a
16 spectator's eligibility to attend an extracurricular athletic
17 activity or competition under Subsection (f-1). The commissioner
18 may delegate the matter for decision to a person the commissioner
19 designates. The decision of the commissioner or the commissioner's
20 designee in a matter governed by this subsection may not be appealed
21 except on the grounds that the decision is arbitrary or capricious.
22 Evidence may not be introduced on appeal other than the record of
23 the evidence before the commissioner.

24 SECTION 2. Subchapter D, Chapter 33, Education Code, is
25 amended by adding Section 33.099 to read as follows:

26 Sec. 33.099. SAFETY OF OFFICIAL. A school district or
27 open-enrollment charter school that holds an extracurricular

1 athletic activity or a University Interscholastic League athletic
2 competition on district or school property shall provide a peace
3 officer, a school resource officer, an administrator, or security
4 personnel to ensure the safety of a referee, judge, or other
5 official of the activity or competition until the official departs
6 district or school property if:

7 (1) a participant or spectator of the activity or
8 competition engages in, attempts to engage in, or threatens violent
9 conduct against the official or otherwise disrupts the duties or
10 free movement of the official; or

11 (2) the district or school reasonably suspects that an
12 incident described by Subdivision (1) may occur at the activity or
13 competition.

14 SECTION 3. This Act applies beginning with the 2023-2024
15 school year.

16 SECTION 4. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2023.

House Bill 2484
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 33.081, Education Code, is amended by adding Subsection (f-1) and amending Subsection (g) to read as follows:

(f-1) A spectator of a University Interscholastic League competition, including a parent or guardian of a student participant, shall be prohibited from attending any future extracurricular activity sponsored or sanctioned by the school district or the University Interscholastic League if the spectator engages in conduct that intentionally, knowingly, or recklessly causes bodily injury to a person serving as referee, judge, or other official of an extracurricular activity in retaliation for or as a result of the person's actions taken in performing the duties of a referee, judge, or other official of the extracurricular activity.

No equivalent provision.

No equivalent provision.

(g) An appeal to the commissioner is not a contested case under Chapter 2001, Government Code, if the issues presented relate to a person's [~~student's~~] eligibility to

SENATE VERSION (IE)

SECTION 1. Section 33.081, Education Code, is amended by adding Subsections (f-1), (f-2), and (f-3) and amending Subsection (g) to read as follows: [FA1(1)]

(f-1) A school district may prohibit a spectator of an extracurricular athletic activity or competition, including a parent or guardian of a student participant, from attending any future extracurricular athletic activity or competition sponsored or sanctioned by the school district or the University Interscholastic League if the spectator engages in conduct that intentionally, knowingly, or recklessly causes bodily injury to a person serving as referee, judge, or other official of an extracurricular athletic activity or competition in retaliation for or as a result of the person's actions taken in performing the duties of a referee, judge, or other official of the extracurricular athletic activity or competition.

(f-2) A school district may establish an appeals process by which a person may appeal to the district a prohibition imposed under Subsection (f-1).

(f-3) A prohibition imposed under Subsection (f-1) must be at a minimum for the remainder of the school year during which the injury occurs, but may not exceed three years from the date the injury occurs. [FA1(2)]

(g) An appeal to the commissioner is not a contested case under Chapter 2001, Government Code, if the issues presented relate to a person's [~~student's~~] eligibility to

CONFERENCE

SECTION 1. Same as Senate version except as follows:

(f-1) Same as Senate version except *requires* a school district to prohibit such a spectator from attending any such future activity or competition if the spectator engages in that conduct.

(f-2) A school district may establish an appeals process by which:

(1) a person may appeal to the district a prohibition imposed under Subsection (f-1); and

(2) the district may determine the facts associated with the conduct for which the school district imposed a prohibition under Subsection (f-1).

(f-3) A prohibition imposed under Subsection (f-1) must be for not less than one year after the date on which the prohibition is imposed but may not exceed five years from the date on which the prohibition is imposed.

(g) Same as Senate version.

House Bill 2484
Conference Committee Report
Section-by-Section Analysis

HOUSE VERSION

participate in or attend an extracurricular activity [~~activities~~], including issues related to a ~~the~~ student's grades, the school district's grading policy as applied to a ~~the~~ student's eligibility, a ~~or the~~ student's eligibility based on conduct described by Subsection (e-1), or a spectator's eligibility to attend an extracurricular activity under Subsection (f-1). The commissioner may delegate the matter for decision to a person the commissioner designates. The decision of the commissioner or the commissioner's designee in a matter governed by this subsection may not be appealed except on the grounds that the decision is arbitrary or capricious. Evidence may not be introduced on appeal other than the record of the evidence before the commissioner.

SECTION 2. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.099, relating to the duty of a public school district or open-enrollment charter school to provide a peace officer, school resource officer, administrator, or security personnel to ensure the safety of an official of an extracurricular athletic activity or a University Interscholastic League athletic competition on district or school property.

SECTION 3. This Act applies beginning with the 2023-2024 school year.

SECTION 4. Effective date.

SENATE VERSION (IE)

participate in or attend an extracurricular activity [~~activities~~], including issues related to a ~~the~~ student's grades, the school district's grading policy as applied to a ~~the~~ student's eligibility, a ~~or the~~ student's eligibility based on conduct described by Subsection (e-1), or a spectator's eligibility to attend an extracurricular *athletic activity or competition* under Subsection (f-1). The commissioner may delegate the matter for decision to a person the commissioner designates. The decision of the commissioner or the commissioner's designee in a matter governed by this subsection may not be appealed except on the grounds that the decision is arbitrary or capricious. Evidence may not be introduced on appeal other than the record of the evidence before the commissioner.

SECTION 2. Substantially the same as House version.

SECTION 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE

SECTION 2. Same as Senate version.

SECTION 3. Same as House version.

SECTION 4. Same as House version.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 23, 2023

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2484 by Guillen (Relating to the safety of a referee, judge, or other official at certain public school extracurricular activities and competitions and prohibiting certain conduct by a spectator related to those officials' safety.), **Conference Committee Report**

No fiscal implication to the State is anticipated.

Local Government Impact

It is assumed that some schools may incur costs for security personnel at extracurricular and University Interscholastic League events to implement provisions of the bill.

Source Agencies: 701 Texas Education Agency, 720 The University of Texas System Administration

LBB Staff: JMc, KSk, SD, SL, ENA

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order.

I certify that a copy of the conference committee report on HB 2484 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before paper copies of the report were submitted to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

Rafael Guillel
(Signature)

5/22/23
(Date)